REMARKS

In reply to the Office Action mailed July 15, 2005, Applicant requests entry of the amendments listed above and consideration of the following remarks.

Applicant has amended claims 1, 26-30, 33, 42-47, 49-62, 64, 73, 76, 78-82, 85, 94-99, and 101-114. Applicant has canceled claims 48, 63, 100, and 115. The amendments to the claims add no new matter.

Claim Rejections under 35 U.S.C. § 112

The Examiner rejected claim 49 under 35 U.S.C. § 112, second paragraph, stating that "Claim 49 recites the limitation "a dynamic rules database, for storing static dependant rules is unclear because the claim already recites the limitation "a static rules database, for storing static condition dependant rules.""

Applicant has amended claim 49, which reads in relevant part, "at least one rules database, for storing at least one dynamically alterable condition dependent rule." Accordingly, Examiner's rejections under 35 U.S.C. § 112 are now moot and Applicant respectfully requests that claim 49 be allowed.

Claim Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1-5, 8-9, 13-17, 19, 26-28, 30, 35-39, 42, 47-48, 50-54, 58-60, 63-69, 71, 78-80, 82, 87-91, 94, 99-100, 102-106, 110-112 and 115 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,529, 985 B1 to Deianov et al. ("Deianov").

With regard to claim 1, Examiner states that

Deianov teaches intercepting a service request (intercepting the system call; col. 3, lines 30-31 and col. 6 lines 28-38) made by a software component (processes 107; col. 6, lines 46-48 and col. 8, lines 15-16), determining the desired behavior for the software component (The interception module of the calling process ; col. 8 lines 16-28), the desired behavior being specified for the software component and conditions by at least one condition dependent rule (associated table; col. 7, lines 9-20 and execution flag 131; col. 8 , lines 29-31), and controlling the software component such that the software component executes the desired behavior (col. 8, lines 16-28). (Office Action, pg. 3).

Applicant respectfully traverses. Deianov teaches the use of a modified loader to "load executable images from static media into process address space," where "each select process that is to intercept system calls is loaded by the modified loader program, whereas non-selected processes are loaded with a standard loader" (see, Deianov, col. 3, lines 47–49 and lines 52–54) so that, "when a system call is made by one [of] these select processes, the interception module calls the system call wrapper with which the process is associated. When systems calls are made by standard processes, the interception module calls the default system call" (see Deianov, col. 4, lines 37–42). Although the list of selected and non-selected processes may vary, the teaching in Deianov is limited to whether or not to execute loaded static alternate code based on whether the call is made by a selected or non-selected process.

In contrast, amended claim 1 recites "dynamically selecting at least one desired behavior from among several behaviors for the software component, the desired behavior being specified for the software component by at least one dynamically alterable condition dependent rule; and dynamically controlling the software component such that the software component executes the desired behavior." Therefore claim 1, as amended, is not anticipated by Deianov and is allowable.

Claims 2–47 depend from claim 1 and are allowable for at least the same reasons as is claim 1.

Applicant has canceled claim 48 so Examiner's rejection with respect to claim 48 is now moot.

In contrast to the teachings in Deianov, amended claims 49, 50, 51, 52, 101, 102, 103, and 104 also recite in relevant part "dynamically selecting at least one desired behavior for the software component" wherein the desired behavior is specified "by at least one dynamically alterable condition dependent rule" and "dynamically controlling the software component such that the software component executes the desired behavior." Therefore, claims 49, 50, 51, 52, 101, 102, 103, and 104, as amended, are not anticipated by Deianov and are allowable.

Claims 53–62 and 64–99 depend from claim 52 and are allowable for at least the same reasons as is claim 52.

Applicant has canceled claims 63 and 100 so the Examiner's rejections with respect to claims 63 and 100 are now moot.

Claim 105–114 depend from claim 104 and are allowable for at least the same reasons as is claim 104.

Applicant has canceled claim 115 so the Examiner's rejection with respect to claim 115 is now moot.

In view of the foregoing, Applicant respectfully submits that claims 1-47, 53–62, 101–114 are allowable and pending in the application.

Claim Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 40-41 and 92-93 under 35 U.S.C. § 103(a) as being unpatentable over Deianov.

Claims 40-41 and 92-93 depend from independent claims 1 and 52 respectively, which, as Applicant has pointed out above, are patentable and not anticipated by Deianov. Therefore, without directly addressing Examiner's arguments and in view of the patentability of claims 1 and 52 over Deianov, Applicant respectfully submits that claims 40-41 and 92-93 are also patentable over Deianov.

The Examiner has rejected claims 6-7 and 10-12 under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of admitted prior art.

Claims 6-7 and 10-12 depend from independent claim 1, which, as Applicant has pointed out above, are not taught, or suggested by Deianaov. The admitted prior art also does not teach or suggest these elements. Therefore, Applicant respectfully submits that claims 6-7 and 10-12 are also patentable over Deianov in view of admitted prior art.

The Examiner has rejected claims 20-23, 31-32, 55, 72-75, 83-84, and 107 under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of U.S. Patent No. 6,587,888 B1 to Chieu et al. ("Chieu").

Claims 20-23 and 31-32 depend from independent claim 1. Claims 55, 72-75, 83-84, depend from independent claim 52. Claim 107 depends from independent claim 104. As Applicant has pointed out above, Deianov does not teach or suggest "dynamically selecting at least one desired behavior from among several behaviors for the software component, the desired behavior being specified for the software

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component by at least one dynamically alterable condition dependent rule; and dynamically controlling the software component such that the software component executes the desired behavior," as recited in relevant parts of claims 1, 52, and 104. Chieu fails to cure these deficiencies. Therefore, Applicant respectfully submits that claims 20-23, 31-32, 55, 72-75, 83-84, and 107 are also patentable over Deianov in view of Chieu.

The Examiner has rejected claims 18, 20, 61, 70, 81, and 113 under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view Chieu and further in view of U.S. Patent No. 5,764,985 B1 to Smale ("Smale").

Claims 18 and 20 depend from independent claim 1. Claims 61, 70, and 81 depend from independent claim 52. Claim 113 depends from independent claim 104. As Applicant has pointed out above, Deianov does not teach or suggest "dynamically selecting at least one desired behavior from among several behaviors for the software component, the desired behavior being specified for the software component by at least one dynamically alterable condition dependent rule; and dynamically controlling the software component such that the software component executes the desired behavior," as recited in relevant parts of claims 1, 52, and 104. Chieu and Smale fail to cure these deficiencies. Therefore, Applicant respectfully submits that claims 20-23, 31-32, 55, 72-75, 83-84, and 107 are also patentable over Deianov in view of Chieu and further in view of Smale.

The Examiner has rejected claims 24-25, 56-57, 76-77, and 108-109 under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of U.S. Patent No. 5,537,548 to Fin et al ("Fin").

Claims 24-25 depend from independent claim 1. Claims 56-57 and 76-77 depend from independent claim 52. Claims 108-109 depends from independent claim 104. As Applicant has pointed out above, Deianov does not teach or suggest "dynamically selecting at least one desired behavior from among several behaviors for the software component, the desired behavior being specified for the software component by at least one dynamically alterable condition dependent rule; and dynamically controlling the software component such that the software component executes the desired behavior," as recited in relevant parts of claims 1, 52, and 104. Fin fails to cure these deficiencies. Therefore, Applicant respectfully submits that claims 24-25, 56-57, 76-77, and 108-109 are also patentable over Deianov in view of Fin.

The Examiner has rejected claims 33-34, 62, 85-86, and 114 under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Smale.

Claims 33-34 depend from independent claim 1. Claims 62 and 85-86 depend from independent claim 52. Claims 114 depends from independent claim 104. As Applicant has pointed out above, Deianov does not teach or suggest "dynamically selecting at least one desired behavior from among several behaviors for the software component, the desired behavior being specified for the software component by at least one dynamically alterable condition dependent rule; and dynamically controlling the software component such that the software component executes the desired behavior," as recited in relevant parts of claims 1, 52, and 104. Smale fails to cure these deficiencies. Therefore, Applicant respectfully submits that claims 33-34, 62, 85-86, and 114 are also patentable over Deianov in view of Smale.

The Examiner has rejected claims 43-46, 49, 95-98, and 101 under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood et. al. (U.S. 2004/0210771 A1) ("Wood").

Claims 43-46, 49 depend from independent claim 1. Claim 95-98 depend from independent claim 52. As Applicant has pointed out above claims 1, 52, and 101 are patentable and not anticipated by Deianov. As Applicant has pointed out above, Deianov does not teach or suggest "dynamically selecting at least one desired behavior from among several behaviors for the software component, the desired behavior being specified for the software component by at least one dynamically alterable condition dependent rule," nor does Deianov teach "dynamically controlling the software component such that the software component executes the desired behavior," as recited in relevant parts of claims 1, 52, and 101. Wood fails to cure these deficiencies. Therefore, Applicant respectfully submits that claims 43-46, 49, 95-98, and 101 are also patentable.

Applicant respectfully submits that claims 40-41, 92-93, 6-7, 10-12, 20-23, 31-32, 55, 72-75, 83-84, 107, 18, 20, 61, 70, 81, 113; 24-25, 56-57, 76-77, 108-109, 33-34, 62, 85-86, 114, 43-46, 49, 95-98, and 101 are pending and under consideration.

Conclusion

As a result of this Amendment, claims 1–47, 49–62, 64–99, and 101–114 are currently pending. The following remarks are submitted to be fully responsive to the Office Action. In view of the foregoing amendments and remarks, Applicant respectfully

requests reconsideration and reexamination of this application and the timely allowance

of the pending claims.

Please grant any extensions of time required to enter this response and charge

any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: October 14, 2005   By:_____

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